

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANGELA SANTIAGO,

Plaintiff,

vs.

GEICO ADVANTAGE INSURANCE  
COMPANY,

Defendant.

Case No. 2:22-cv-01370-RSL

STIPULATED MOTION TO CONTINUE  
DISCOVERY DEADLINE AND TO  
CONTINUE PENDING DISPOSITIVE  
MOTIONS

**COME NOW** the Plaintiff ANGELA SANTIAGO (“Plaintiff”) and Defendant GEICO ADVANTAGE INSURANCE COMPANY (“Defendant”) (collectively “the Parties”), by and through their counsel of record, and respectfully stipulate and move this Court to:

- (a) continue the Discovery Deadline from July 17, 2023 to August 16, 2023;
- (b) continue the noting date of Defendant’s Motion for Summary Judgment re: Extracontractual Claims and Effect of Arbitration De Novo to August 18, 2023; and
- (c) continue the noting date of Plaintiff’s Motion for Partial Summary Judgment on Contract Claim to August 18, 2023.

STIPULATED MOTION TO CONTINUE DISCOVERY  
DEADLINE AND TO CONTINUE PENDING DISPOSITIVE  
MOTIONS - 1

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## I. STIPULATION

### A. Overview

1. This action is for the alleged breach of the contract of insurance between Plaintiff and Defendant providing underinsured motorist coverage and for extra-contractual claims. Defendant denies plaintiff's claims.
2. Under the case scheduling order, the jury trial in this matter is currently set for October 2, 2023. [DKT. 8]. The jury trial is expected to last approximately seven days. *Id.*
3. Under the Court's Order dated June 5, 2023, the Discovery Deadline is **July 17, 2023**. [DKT. 42].
4. Under the case scheduling order, the latest noting date for dispositive motions is July 28, 2023. [DKT. 8]. Defendant's Motion for Summary Judgment re: Extracontractual Claims and Effect of Arbitration De Novo [DKT 34] was initially noted for June 9, 2023. Pursuant to the Court's Order dated June 16, 2023, that motion was renoted for **July 28, 2023**. [DKT. 52].
5. Plaintiff's Motion for Partial Summary Judgment on Contract Claim [DKT. 57] is also noted for July 28, 2023.
6. For the reasons set forth below, the Parties are requesting: (a) a one-month continuance of the discovery deadline; (b) a 3-week continuance of Defendant's Motion for Summary Judgment re: Extracontractual Claims and Effect of Arbitration De Novo; and (c) a 3-week continuance of Plaintiff's Motion for Partial Summary Judgment on Contract Claim. The Parties request that the Court extend and modify the discovery deadline and noting dates of those motions as set forth below.

**B. The continuances sought are in the interest of justice.**

1. The parties have been conferring to complete necessary discovery.
2. Pursuant to the Court's Order of June 22, 2023 [DKT. 54] and the Parties' Stipulation re: Fed. R. Civ. P. 35 Examination of Angela Santiago (attached as Exhibit A), the physical examination of Plaintiff is scheduled for July 14, 2023 with the completion of Dr. Nicholes's report and any subsequent deposition contemplated within a month thereafter.
3. Pursuant to the Court's Order of June 22, 2023 [DKT. 55] the deposition of defendant's Fed. R. Civ. P. 30(b)(6) designee is scheduled for July 25, 2023, subject to adjournment and resumption to accommodate the respective calendars of counsel. In addition to a continuation of the current discovery deadline, the completion of such deposition is necessary to enable the Parties' completion of their respective briefing regarding defendant's motion for partial summary judgment and requiring a continuation of that motion's noting date.
4. This stipulated request is not made for the purpose of delay but, rather, to allow sufficient time to prepare this case for trial.

**C. Relief Requested**

In consideration of the above the Parties stipulate to, and in accordance with Fed. R. Civ. P. 29 respectfully request, the following orders:

1. a one-month continuance of the discovery deadline to **August 16, 2023**.
2. a 3-week continuance of the noting date of Defendant's Motion for Summary Judgment re: Extracontractual Claims and Effect of Arbitration De Novo [DKT. 34] to **August 18, 2023**.
3. a 3-week continuance of the noting date of Plaintiff's Motion for Partial Summary Judgment on Contract Claim [DKT. 57] to **August 18, 2023**.

RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of July 2023.

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WATHEN LEID HALL & RIDER, P.C.

s/ Steven M. Malek

s/ Dylan R. Knapp

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Attorneys for Defendants

## II. ORDER

**IN CONFORMITY** with the foregoing Stipulation, **IT IS SO ORDERED.**

The Clerk of Court is directed to renote each of defendant's motion for summary judgment (Dkt. # 34) and plaintiff's motion for partial summary judgment (Dkt. # 57) on the Court's calendar for Friday, August 18, 2023.

Dated this 12th day of July, 2023.



Robert S. Lasnik  
United States District Judge